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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,022	01/22/2002	Herve Ruellan	01807.002304	7645

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EXAMINER
SERRAO, RANODHI N

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 July 2006*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 13 July 2006 have been fully considered but they are not persuasive.

2.   The applicant amended independent claims 1 and 12 by adding new limitations and argued in substance these claims. However, the cited prior art of record teach these and the added features.

3.   The applicant furthermore argued that the applied references do not disclose the feature of sending a response to the first client station via the communication network, the response comprising a sum of money less than or equal to an execution cost associated with the function. This is incorrect since in col. 16, lines 8-53, Cockrill et al. states, "After the refund request is submitted, the customer's statement is preferably updated to reflect the submission of the refund request." In order words, "sending a response to the first client station via the communication network," Cockrill et al. also states, "If a refund request is directed to an item having a price that is less than the maximum automatic refund threshold, the network preferably automatically grants the refund request," which equates to "the response comprising a sum of money less than or equal to an execution cost associated with the function." In other words, item cost serves the purpose of an execution cost and item purchase serves the purpose of the function. Therefore Cockrill et al. teaches the invention as claimed.

4.   The applicant also argued that the Office Action's reliance on Cockrill is

misplaced. However, the rejections have been modified to show more clearly how the

cited prior art of record teach the invention as claimed. See below.

5.   In response to applicant's argument that there is no suggestion to combine the

references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation is

found within the reference. Furthermore, the refund request taught in Cockrill et al.

serve the purpose of an undo operation. Therefore the combination is proper.

Claim Rejections - 35 USC § 103

6.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

7.   Claims 1-4, 6-8, and 10-18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cockrill et al. (6,473,740) and Wilkins (2004/0027593).

8.   As per claims 1 and 12. Wilkins teaches a method of undoing a function

requested by a first client station on a computer object stored on a server station of a

communication network, comprising the following steps: receiving from a client station a

request to undo execution of the function on the computer object, the execution of the

function being adapted to manipulate the object from an earlier state to a manipulated state of the object (see Wilkins, ¶ 4 and 18-19); obtaining on said server station the earlier state of the manipulated object (see Wilkins, ¶ 52). But fails to teach sending a response to the first client station via the communication network, the response comprising a sum of money less than or equal to an execution cost associated with the function. However, Cockrill et al. teaches sending a response to the first client station via the communication network, the response comprising a sum of money less than or equal to an execution cost associated with the function (see Cockrill et al., col. 16, lines 32-53). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Wilkins to sending a response to the first client station via the communication network, the response comprising a sum of money less than or equal to an execution cost associated with the function in order to substantially lower merchants' transaction processing costs, thereby enabling merchants to offer for sale modestly-priced goods (see Cockrill et al., col. 5, lines 11-25).

9.   As per claims 2-4, 6-8, 10, 11, and 13-18, the above-mentioned motivation of claim 1 applies fully in order to combine Wilkins and Cockrill et al.

10.   As per claims 2 and 13, Cockrill et al. and Wilkins teach an undo method, further comprising a stop of generating money on the server station, associated with the first client station (see Cockrill et al., col. 13, lines 27-58).

11.   As per claim 3, Cockrill et al. and Wilkins teach an undo method, wherein at said sending step, the sum of money is less than or equal to a sum received by the server station for the execution of the function (see Cockrill et al., col. 16, lines 32-53).

12.   As per claim 4, Cockrill et al. and Wilkins teach an undo method, wherein the sum of money is strictly less than the sum received (see Cockrill et al., col. 16, lines 32-53).

13.   As per claim 6, Cockrill et al. and Wilkins teach an undo method, wherein the undo cost is zero if the number of requests for executions of undone functions sent by the client station is less than a predetermined threshold value (see Cockrill et al., col. 16, lines 32-53).

14.   As per claims 7 and 14, Cockrill et al. and Wilkins teach an undo method, further comprising the following steps: receiving a request to undo the execution of a function, sent by a second client station of the communication network, the undo request comprising a sum of electronic money; and sending a second response to the second client station via the communication network (see Cockrill et al., col. 12, lines 21-31), the second response comprising a sum of electronic money less than or equal to said sum of electronic money included in the undo request (see Cockrill et al., col. 16, lines 32-53).

15.   As per claim 8, Cockrill et al. and Wilkins teach an undo method, further comprising a step of generating electronic money on the server station associated with the second client station (see Cockrill et al., col. 13, lines 27-58).

16.   As per claim 10, Cockrill et al. and Wilkins teach an undo method, wherein at said obtaining step, an opposite function, which is the reverse of the function, is executed (see Cockrill et al., col. 16, lines 21-31).

17.   As per claim 11, Cockrill et al. and Wilkins teach an undo method, wherein it is

implemented on a list of functions executed subsequently to the function to be undone

(see Cockrill et al., col. 16, lines 8-20).

18.   As per claim 15, Cockrill et al. and Wilkins teach an undo device, characterized in

that it is incorporated in a microprocessor, a read only memory adapted to store a

program for remote undoing of functions; and a random access memory comprising

registers adapted to store variables modified during the execution of said program (see

Cockrill et al., col. 9, lines 22-42).

19.   As per claims 16, 17, and 18, Cockrill et al. and Wilkins teach a method of

undoing a function (see Cockrill et al., col. 3, line 54-col. 4, line 10).

20.   Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cockrill et al. and Wilkins as applied to claim 1 above, and further in view of Hiroya et al.

(5,754,654).

21.   As per claim 5, Cockrill et al. and Wilkins teach the mentioned limitations of claim

1 above but fail to teach an undo method, further comprising a step of calculating an

undo cost associated with the received undo request, wherein the sum of money

included in the response to the first client is calculated after deduction of the undo cost.

However, Hiroya et al. teaches an undo method, further comprising a step of calculating

an undo cost associated with the received undo request (see Hiroya et al., col. 21, lines

22-34), wherein the sum of money included in the response to the first client is

calculated after deduction of the undo cost (see Hiroya et al., col. 6, line 63-col. 7, line

8). It would have been obvious to one having ordinary skill in the art at the time of the

invention to modify Cockrill et al. and Wilkins to an undo method, further comprising a

step of calculating an undo cost associated with the received undo request, wherein the

sum of money included in the response to the first client is calculated after deduction of

the undo cost in order to provide an electronic ticket vending and refunding system and

a method thereof for working when a plurality of ticket venders share only one electronic

ticket vending and refunding system in a system for purchasing or refunding a ticket

from a distant place using a telephone line for preventing forgery or illegal reproduction

of an electronic ticket (see Hiroya et al., col. 3, lines 18-28).

22.   As per claim 9, Cockrill et al. and Wilkins teach the mentioned limitations of

claims 1 and 7 above but fail to teach an undo method, further comprising a step of

calculating a second undo cost associated with the undo request received from the

second client station, wherein in the step of sending the second response, the sum of

money included in the second response is calculated by deducting the second undo

cost from the sum of money included in the undo request of the second client station.

However, Hiroya et al. teaches an undo method, further comprising a step of calculating

a second undo cost associated with the undo request received from the second client

station, (see Hiroya et al., col. 21, lines 22-34: wherein it would be obvious to one

having ordinary skill in the art at the time of the invention to add a second client in a

communication network); wherein in the step of sending the second response, the sum

of money included in the second response is calculated by deducting the second undo

cost from the sum of money included in the undo request of the second client station

(see Hiroya et al., col. 6, line 63-col. 7, line 8). It would have been obvious to one having

ordinary skill in the art at the time of the invention to modify Cockrill et al. and Wilkins to

an undo method, further comprising a step of calculating a second undo cost associated

with the undo request received from the second client station, wherein in the step of

sending the second response, the sum of money included in the second response is

calculated by deducting the second undo cost from the sum of money included in the

undo request of the second client station in order to an electronic ticket vending and

refunding system and a vending and refunding method thereof for working when a

transaction using electronic money and an electronic ticket is executed via a telephone

line for preventing a trouble on whether the electronic money and the electronic ticket

are given or received actually (see Hiroya et al., col. 3, lines 30-35).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER